

## **REMARKS**

This paper responds to the Office Action dated 1 April 2010. In this response, a replacement drawing is submitted. Claims 1, 3-7, 9, 10, 12-16, 18 and 20 are amended. Claims 2, 11 and 19 are cancelled without prejudice or disclaimer. Claims 22-25 are added. No new matter has been proposed. Support for new claims 22-25 can be found throughout the specification, e.g., page 3, lines 12-17. As a result, claims 1, 3-10, 12-18 and 20-25 are now pending in this application. Reconsideration of this application as amended and an early allowance are respectfully requested.

### **Drawings**

The Office Action objects to Figure 1 as lacking the legend "Prior Art." Applicant herewith submits a replacement FIG. 1 that now includes the legend. Entry and approval of replacement Figure 1 are respectfully requested.

### **Objection to Claims**

The Office Action objects to Claims 1, 9, and 16. Applicant herein addresses these objections. Withdrawal of the objections are requested.

### **Rejection to Claims under 35 USC 102**

Claims 1, 3-10, 13-15, 18, 20-21 are rejected under 35 U.S.C. 102(b) as being anticipated by *Gelbman* (US 20020167500 A1). Applicant respectfully traverses.

Claim 1 recites, in part, "about a new authorization code matching an authorization code in at least one shelf label to replace an old authorization code from a central unit in the electronic labelling system; wherein the controller is arranged to store the new authorization code in the memory; and wherein the transmitter is to transmit a command and the new authorization code to an electronic shelf label in order to verify the authorization to transmit said command." Applicant cannot find these features in *Gelbman*.

The Office Action at page 8 appears to admit that “Gelbman does not disclose the handheld device 18 according to claim 1, wherein the transmission means is arranged to transmit an authorization code to the label in order to verify the authorization to transmit said command.”

Claims 3-8 depend from claim 1 and are allowable with their parent claim 1. Claims 3-8 describe further feature that define patentable features but in view of brevity these arguments are not made here.

Independent claim 9 recites, in part, “a central unit to transmit a new authorization code matching an authorization code in at least one shelf label to the handheld device, which code can be stored in the handheld device and transmitted from the handheld device to at least one shelf label for authentication of the handheld device, wherein the new authorization code authorizes function of the handheld device.” Applicant cannot find these features in Gelbman.

Claims 10-15 depend from claim 16 and are allowable with their parent claim 16. Claims 10-15 describe further feature that define patentable features but in view of brevity these arguments are not made here.

Independent claim 18 recites, in part, “transmitting from the central unit to the handheld device information about a new authorization code matching an authorization code in the electronic shelf label to be used by the handheld device when communicating with the electronic shelf label, storing said new authorization code in a memory in the handheld device for inclusion in commands transmitted to said electronic label, transmitting from the central unit to at least one electronic shelf label used in the electronic shelf label system information regarding the new authorization code matching an authorization code in at least one handheld device, and storing said new authorization code in an electronic shelf label memory for comparison with an authorization code comprised in a command received from the handheld device.” Applicant cannot find these features in Gelbman.

Claims 20-21 depend from claim 18 and are allowable with their parent claim 18. Claims 20-21 describe further feature that define patentable features but in view of brevity these arguments are not made here.

### Rejection to Claims under 35 USC 103

1. Claims 2, 11, 16-17, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gelbman (US 20020167500 A1) in view of Goodwin, III (US 20020139847 A1). Applicant respectfully traverses.

Claims 2, 11 and 19 are cancelled. Accordingly, the rejection thereof is now moot.

Claim 16 recites, in part, “a plurality of registers for holding a plurality of different pieces of information *and each register being associated with an authorization code*, a control unit to control the display of information from the registers dependent on commands input from a handheld device, at least one stored authorization code *matching an authorization code in at least one handheld device*, wherein the control unit is arranged to, when a command to display the information of a specific register is received in the control unit, to compare a received authorization code with the command to the stored authorization code associated with the specific register and display the information contained in the register if the received authorization code matches the stored authorization code, and wherein *the authorization codes associated with the registers being themselves associated with different levels of functions.*” (italics added). Applicant cannot find these features in Gelbman or Goodwin. As a result claim 16 is allowable over Gelbman and Goodwin, either alone or in combination.

2. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gelbman (US 20020167500 A1) in view of Teicher et al. (US 5880449 A1). Applicant respectfully traverses. Claim 12 is allowable with its parent claim 9 as Teicher does not cure the defects of Gelbman as a reference as stated above.

### New Claims

The new claims 22-25 are presented herein. No new matter is proposed. Support for the new claims can be found throughout the specification, for example, page 3, lines 12-17.

Claim 22 depends from claim 1 and is allowable for at least the reasons stated above. Claim 22 recites “the controller receives the information and sets a type of function that can be performed using the information.” Applicant cannot find these features in Gelbman or Goodwin.

Claim 23 depends from claim 22 and recites “the controller sets the type of function to customer functions, member functions or shop personnel functions.” Applicant cannot find these features in Gelbman or Goodwin.

Claim 24 depends from claim 1 and recites “the controller authorizes functions using the authorization code from the central unit.” Applicant cannot find these features in Gelbman or Goodwin.

Claim 25 depends from claim 15 and recites “the master authorization code when in the handheld device authorizes complete access at a personnel level.” Applicant cannot find these features in Gelbman or Goodwin.

Gelbman does not teach that its remote activator module 18 is able to be centrally adapted to perform different types of functions in view of information that defines a certain user category/user authorization level, where the user may be an employee, a store member or an ordinary customer, etc. Gelbman does not disclose a handheld device comprising a receiver arranged to receive information about a new authorization code matching an authorization code in at least one shelf label to replace an old authorization code from a central unit in the electronic labelling system. Furthermore, Gelbman does not disclose a handheld device comprising transmitter to transmit a command and the new authorisation code to the label in order to verify the authorisation to transmit said command (recited in claim 1 and part of claim 22). These features provide the unexpected results and needed effect of allowing the handheld device to be centrally adapted to perform different functions in view of a certain user category/user authorisation level, since they enable an authorisation code to be set and replaced as desired for each individual handheld device in a centrally controlled manner by each individual store (see summary, page 3, lines 12-17).

Goodwin appears to discuss a password from the portable device 34 to the electronic price label (EPL) 22. However, Goodwin does not teach or even such an authorization code as recited in the present claims. Goodwin does not teach:

an authorization code that “wherein the controller is arranged to store the new authorization code in the memory; and wherein the transmitter is to transmit a command and the new authorization code to an electronic shelf label in order to verify the authorization to transmit said command” (claim 1);

“a central unit to transmit a new authorization code matching an authorization code in at least one shelf label to the handheld device, which code can be stored in the handheld device and transmitted from the handheld device to at least one shelf label for authentication of the handheld device, wherein the new authorization code authorizes function of the handheld device” (claim 9);

“a plurality of registers for holding a plurality of different pieces of information and each register being associated with an authorization code, . . . and wherein the authorization codes associated with the registers being themselves associated with different levels of functions” (claim 16).

By enabling an authorization code in each handheld device to be individually set and replaced as desired in a centrally controlled manner by each individual store, each individual store is able to specify different types of functions for each of its handheld devices and thus determine which of the handheld devices is to be used for which type of function at different moments in time. Thus, a handheld device may be dedicated to perform functions restricted to only employees at one time (e.g. during an inventory), and at another time be dedicated to perform other functions restricted to only store members or functions offered to ordinary customers. The centrally interchangeable authorization code can therefore be used to determine what particular functions a particular handheld device is authorized to perform. This may be performed so as to adapt the functions of a particular handheld device to different user categories/user authorisation levels at different moments in time. This provides for a more versatile handheld device, which is not taught or suggested by the applied references.

Conclusion

In the event there are any questions concerning this Amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of the application may be expedited.

No additional fees are believed to be due at this time however if necessary to effect a timely response the Commissioner is authorised to deduct the necessary fees from Deposit account No. 50-3141.

Respectfully submitted,

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